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For Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CONSERVATION CONGRESS, et al.,

Plaintiffs,

v.

NANCY FINLEY, et al.,

Defendants, and

TRINITY RIVER LUMBER COMPANY,

Defendant Intervenor.

Case No.: 3:11-cv-04752-SC

**STIPULATION TO REVISE THE
BRIEFING SCHEDULE AND
[PROPOSED] ORDER**

Next Scheduled Hearing

Date: June 8, 2012

Time: 10:00 a.m.

Location: Courtroom 1, 17th floor

1. On December 1, 2011, this Court entered its Scheduling Order based on the Parties' Joint Case Management Statement, which provided a briefing schedule for the parties' cross motions for summary judgment. Dkt # 17.

2. Currently there are unresolved issues concerning discovery and the contents of the administrative record, including Defendants' assertion that discovery is barred in this case.

Plaintiffs and Federal Defendants have made progress in resolving most administrative record

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1 issues and Plaintiffs have withdrawn several discovery items because of materials released
 2 through the parties' record dispute resolution process. To address whether discovery is barred or
 3 is appropriate in this case, Plaintiffs and Federal Defendants plan to file a joint-letter brief on
 4 Monday, March 19.

5 3. The parties, through counsel, conferred telephonically on March 13, 2012, to
 6 discuss revision of the current schedule as a result of these unresolved issues. Counsel then
 7 exchanged several e-mails discussing a revised schedule.

8 4. The parties desire to maintain the current hearing date of June 8, 2012. The parties
 9 move for entry of the proposed order because, even though argument is scheduled for less than
 10 two weeks after the last briefs are submitted, the Court will have the parties' principal briefs
 11 several weeks in advance of argument. Federal Defendants and Defendant-Intervenor's
 12 agreement to join this motion is contingent upon the June 8, 2012 hearing date. Having further
 13 conferred, the parties have agreed to a revised briefing schedule that accommodates scheduling
 14 conflicts of all parties and counsel and retains the current hearing date of June 8, 2012, but
 15 would provide some additional time to work towards resolving the scope of the administrative
 16 record and propriety of discovery requests..

17 5. The parties, by and through counsel, hereby respectfully request that this Court
 18 grant the Parties' joint motion to revise the Scheduling Order briefing schedule as follows:

19	Plaintiffs file Motion for Summary Judgment	04/02/2012
20		
21	Defendants file Opposition/Cross Motion for Summary Judgment	05/11/2012
22		
23	Intervenor files Opposition/Cross Motion for Summary Judgment	05/11/2012 (25 pages)
24	Plaintiffs file Opposition/Reply	05/22/2012
25	Defendants file Reply	05/31/2012
26	Intervenor files Reply	05/31/2012 (15 pages)
27		
28	Hearing Date	06/08/2012

Dated: March 16, 2012

Respectfully submitted,

/s/ René Voss
RENÉ VOSS
Attorney for Plaintiffs

IGNACIA S. MORENO, Asst. Attorney General
SETH M. BARSKY, Section Chief

/s/ Andrea Gelatt (as authorized)
ANDREA E. GELATT (Cal. Bar # 262617)
STACEY BOSSHARDT
Attorneys for Defendants

/s/ Scott Horngren (as authorized)
SCOTT HORNGREN
Attorney for Defendant-Intervenors

~~[PROPOSED]~~ ORDER

In consideration of the Parties' Stipulation to Revise the Briefing Schedule, it is SO ORDERED. Page limits for the parties' briefs shall comply with those limits previously stated in the Court's Dec. 1, 2011 Scheduling Order.

Dated: March 19, 2012



U.S. District Judge